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JUL 17 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA      JUDGE AMY ST. EVE      MAGISTRATE JUDGE SCHENKIER  
                                        )  
                                        ) 08 CR 475  
V.                                    )  
                                        ) Violations: Title 18, United States  
MARCHELLO M. HATTEN                ) Code, Sections 922(g)(1),  
                                        ) 924 ( c )(1)(a); and Title  
                                        ) 21, United States Code, Section  
                                        ) 841(a)(1)

COUNT ONE

The SPECIAL JUNE 2007 GRAND JURY charges:

On or about November 14, 2007, at Ford Heights, in the Northern District of Illinois, Eastern Division,

MARCHELLO M. HATTEN,

defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, a firearm, namely, a Smith & Wesson 9 millimeter semi-automatic pistol, bearing the serial number PDK4706, which firearm was in and affecting commerce in that the firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT TWO**

The SPECIAL JUNE 2007 GRAND JURY further charges:

On or about November 14, 2007, at Ford Heights, in the Northern District of Illinois,  
Eastern Division,

**MARCHELLO M. HATTEN,**

defendant herein, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a mixture and substance containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT THREE**

The SPECIAL JUNE 2007 GRAND JURY further charges:

On or about November 14, 2007, at Ford Heights, in the Northern District of Illinois, Eastern Division,

MARCHELLO M. HATTEN,

defendant herein, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a mixture and substance containing heroin, Schedule I Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FOUR**

The SPECIAL JUNE 2007 GRAND JURY further charges:

On or about November 14, 2007, at Ford Heights, in the Northern District of Illinois,

Eastern Division,

MARCHELLO M. HATTEN,

defendant herein, knowingly possessed a firearm, namely, one Smith and Wesson 9 millimeter semi-automatic pistol, serial number PDK4706, in furtherance of, and carried that firearm during and in relation to, a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, a violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count Two and Three of this Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

**FORFEITURE ALLEGATION**

The SPECIAL JUNE 2007 GRAND JURY further charges:

1. The allegations of Count One of this Indictment are realleged and incorporated here by reference as if fully restated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of his violation of Title 18, United States Code, Section 922(g)(1), as alleged in this Indictment,

MARCHELLO M. HATTEN,

defendant herein, has subjected to forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), the following property and interests:

a. All property constituting, and derived from, and traceable to, proceeds obtained, directly or indirectly, as a result of the defendant's violation of Title 18, United States Code, Section 922(g)(1).

b. All property that is used to facilitate, and is intended to be used to facilitate the commission of the defendant's violation of Title 18, United States Code, 922(g)(1).

3. The interests of the defendant subject to forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) include, but are not limited to, a Smith & Wesson 9 millimeter semi-automatic pistol, bearing the serial number PDK4706.

A TRUE BILL

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FOREPERSON

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UNITED STATES ATTORNEY